



BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY  
FEDERAL ENERGY REGULATORY COMMISSION

Alabama Power Company

Project No. 2165-050

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE AND SOLICITING  
COMMENTS, MOTIONS TO INTERVENE, AND PROTESTS

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Application Type: Non-project use of project lands and waters
- b. Project No: 2165-050
- c. Date Filed: November 20, 2012
- d. Applicant: Alabama Power Company
- e. Name of Project: Warrior River Project
- f. Location: Smith Lake, Crane Hill, Cullman County, Alabama
- g. Filed Pursuant to: Federal Power Act, 16 USC 791(a)- 825(r)
- h. Applicant Contact: Jason Powers, Alabama Power Company, 600 18<sup>th</sup> Street North, Birmingham, AL 35203-8180, (205) 257-1000, [jpowers@southernco.com](mailto:jpowers@southernco.com)
- i. FERC Contact: Jade Alvey, (202) 502-6864, [jade.alvey@ferc.gov](mailto:jade.alvey@ferc.gov)
- j. Deadline for filing comments, motions to intervene, and protests: **January 21, 2013**

All documents may be filed electronically via the Internet. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY,

(202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Please include the project number (P-2165-050) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. Description of Application: Alabama Power Company requests Commission approval to grant Smith RV Resort a permit to use project lands and waters within the project boundary on Smith Lake for the construction of a floating dock (2832 square feet) with 20 tie cleats placed for a total of 10 boat slips. The application also requests permission for approval of a floating day use pier (480 square feet) with 11 temporary mooring cleats. In addition, the application includes an existing dock with 10 boat slips and 20 tie cleats (2802 square feet), a day use pier (294 square feet) with 6 tie cleats, and a boat ramp. The licensee is requesting that the existing and proposed facilities be considered for approval together. The application provides specific measurements for each structure, as well as their distance from the existing structures.

l. Locations of the Application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field (P-2165) to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate

action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: December 21, 2012

Kimberly D. Bose,  
Secretary.

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